

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

**FRANCES RENEE MILLER/PERRY
ADC #708998**

PLAINTIFF

v.

NO. 1:07CV00034 SWW/BD

CORRECTIONAL MEDICAL SERVICES, et al.

DEFENDANTS

ORDER

The Court has received the Partial Recommended Disposition from Magistrate Judge Beth Deere. After careful review of the Partial Recommended Disposition, the timely objections received thereto, as well as a *de novo* review of the record, the Court concludes that the Partial Recommended Disposition should not be adopted.

Plaintiff states her objections more in the form of second amended complaint in which she again names Pratt as a defendant. *See* document 38. Because the decision to dismiss Pratt as a defendant is based on plaintiff's amended complaint which she seems to replace with a second amended complaint, the Court finds it inappropriate to dismiss Pratt as a defendant at this time.

DATED this 18th day of April 2008.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE